

## **IC 22-12-2**

### **Chapter 2. Fire Prevention and Building Safety Commission**

## **IC 22-12-2-1**

### **Establishment of commission**

Sec. 1. The fire prevention and building safety commission is established.

*As added by P.L.245-1987, SEC.1.*

## **IC 22-12-2-2**

### **Membership**

Sec. 2. (a) The commission consists of nineteen (19) voting members and two (2) nonvoting members. The governor shall appoint seventeen (17) voting members to the commission, each to serve a term of four (4) years. The state health commissioner or the commissioner's designee shall serve as a voting member of the commission, and the commissioner of labor or the commissioner's designee shall serve as a voting member of the commission. The state fire marshal and the state building commissioner shall serve as nonvoting members of the commission.

(b) Each appointed member of the commission must have a recognized interest, knowledge, and experience in the field of fire prevention, fire protection, building safety, or other related matters.

(c) The appointed members of the commission must include the following:

- (1) One (1) member of a paid fire department.
- (2) One (1) member of a volunteer fire department.
- (3) One (1) individual in the field of fire insurance.
- (4) One (1) individual in the fire service industry.
- (5) One (1) individual in the manufactured housing industry.
- (6) One (1) individual in the field of fire protection engineering.
- (7) One (1) professional engineer.
- (8) One (1) building contractor.
- (9) One (1) individual in the field of building one (1) and two (2) family dwellings.
- (10) One (1) registered architect.
- (11) One (1) individual engaged in the design or construction of heating, ventilating, air conditioning, or plumbing systems.
- (12) One (1) individual engaged in the design or construction of regulated lifting devices.
- (13) One (1) building commissioner or building inspector of a city, town, or county.
- (14) One (1) individual in an industry that operates regulated amusement devices.
- (15) One (1) individual who is knowledgeable in accessibility requirements and who has personal experience with a disability.
- (16) One (1) individual who represents owners, operators, and installers of underground and aboveground motor fuel storage tanks and dispensing systems.
- (17) One (1) individual in the masonry trades.

(d) Not more than ten (10) of the appointed members of the commission may be affiliated with the same political party.

(e) An appointed member of the commission may not serve more than two (2) consecutive terms. However, any part of an unexpired term served by a member filling a vacancy does not count toward this limitation.

*As added by P.L.245-1987, SEC.1. Amended by P.L.225-1989, SEC.1; P.L.118-1994, SEC.1; P.L.226-1995, SEC.1; P.L.1-1999, SEC.56; P.L.119-2002, SEC.4.*

### **IC 22-12-2-3**

#### **Removal of member**

Sec. 3. The governor may remove a member of the commission for inefficiency or neglect of duty.

*As added by P.L.245-1987, SEC.1.*

### **IC 22-12-2-4**

#### **Vacancies; appointment**

Sec. 4. If a vacancy occurs on the commission, the governor shall appoint an individual to serve the unexpired term of the vacating member.

*As added by P.L.245-1987, SEC.1.*

### **IC 22-12-2-5**

#### **Chairperson**

Sec. 5. The commission shall annually elect a chairperson from among its members.

*As added by P.L.245-1987, SEC.1.*

### **IC 22-12-2-6**

#### **Meetings; quorum; actions**

Sec. 6. (a) The commission shall meet at least quarterly.

(b) A quorum of the commission consists of ten (10) voting members. IC 4-21.5-3-3 applies to a commission action governed by IC 4-21.5. The commission may take other actions by an affirmative vote of:

(1) nine (9) members, if less than nineteen (19) voting members are present and voting on the action; or

(2) ten (10) members, if nineteen (19) members are present and voting on the action.

(c) In the case of a tie vote on an action of the commission, the deciding vote shall be cast by the:

(1) state fire marshal, in even-numbered years; or

(2) state building commissioner, in odd-numbered years.

*As added by P.L.245-1987, SEC.1. Amended by P.L.225-1989, SEC.2; P.L.118-1994, SEC.2; P.L.226-1995, SEC.2; P.L.119-2002, SEC.5.*

### **IC 22-12-2-7**

#### **Facilities and staff**

Sec. 7. The department shall provide facilities and staff to carry out the responsibilities of the commission.

*As added by P.L.245-1987, SEC.1.*

**IC 22-12-2-8**

**Per diem; expenses**

Sec. 8. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(b) Each member of the commission who is a state employee is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

*As added by P.L.245-1987, SEC.1.*